

24347. Paprika. (F. D. C. No. 40730. S. No. 53-623 M.)

QUANTITY: 49 110-lb. bags at Houston, Tex.

SHIPPED: 5-13-57, from Espinardo, Spain.

LIBELED: 9-11-57, S. Dist. Tex.

CHARGE: 402 (a) (3)—contained insects while held for sale.

DISPOSITION: 12-23-57. Consent—claimed by Geo. H. Dentler & Sons, Houston, Tex., and destroyed.

24348. Vinegar and cider. (Inj. No. 327.)

COMPLAINT FOR INJUNCTION FILED: 1-4-58, W. Dist. Va., against Shenandoah Valley Apple Cider & Vinegar Corp., Winchester, Va.

CHARGE: The complaint alleged that the defendant had been and was, at the time of the filing of the complaint, operating a plant at Winchester, Va., for the preparation, storage, and distribution of vinegar and cider; that it had been and was, at the time of filing the complaint, storing and holding such foods in storage tanks under insanitary conditions resulting from the presence of insect filth on the inside walls of such tanks, and in the vinegar and cider contained therein; that the defendant had on hand quantities of vinegar and cider on its premises under the aforesaid conditions; and that the defendant was introducing and causing to be introduced into interstate commerce, vinegar and cider adulterated as follows: 402 (a) (3)—the articles were contaminated with insects, insect fragments, insect excrement, insect larvae, insect eggs, maggots, and vinegar eels, and the vinegar was also manufactured from cider contaminated with insect filth; and 402 (a) (4)—the articles were prepared and held under insanitary conditions.

DISPOSITION: On 1-4-58, the court issued a temporary restraining order. Thereafter, on 2-4-58, the defendant having consented to the entry of a decree, an injunction was entered enjoining the defendant from introducing or delivering for introduction into interstate commerce, certain stocks of vinegar and cider on hand in the defendant's plant on 1-24-58, until brought into compliance with the law under the supervision of the Food and Drug Administration, as follows: the vinegar and cider in the tanks was to be layered off, except for two feet on the bottom and one foot on the top; the portions so layered off from the middle of the tanks were to be filtered into completely sanitized and insect-proofed tanks; the top one foot and bottom two feet of each tank of the vinegar and cider were to be pumped into holding tanks and the accumulation distilled, destroyed, or otherwise disposed of under the supervision of the Food and Drug Administration; all fermentation and holding tanks were to be covered by insect proof covers; and the layering off, tank cleaning, and tank covering operations were to be completed by 5-1-58.

## MISCELLANEOUS FOODS

24349. Coal-tar color mixtures and bronze powder. (F. D. C. No. 39838. S. Nos. 24-468/71 M., 24-475 M.)

INDICTMENT RETURNED: 9-4-57, S. Dist. Calif., against Westco Products, a partnership, Los Angeles, Calif.

ALLEGED VIOLATION: The indictment charged that the defendant falsely represented and, without proper authority, used on the labels of products designated as "Decorator Paste Brown," "Paste Color Violet," and "Paste Color